

FILED
CLERK OF DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
★ NOV - 9 2011 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

-----X
JULIO COLON,

Docket No: 11-cv-2573 (CBA) (JO)

Plaintiff,

- against -

**STIPULATION OF
DISCONTINUANCE**

STATE NATIONAL INSURANCE COMPANY,
INC.,

Defendant.
-----X

IT IS HEREBY STIPULATED AND ORDERED that:

(1) Whereas plaintiff Julio Colon commenced this insurance coverage declaratory judgment action against defendant State National Insurance Company ("State National") for a declaration that State National has an obligation, under commercial general liability policy number APO07500269, to honor a judgment in the sum of \$133,144.50 entered against State National's insured, S.A.D. Realty Corp. ("S.A.D."), in plaintiff's underlying personal injury action entitled Julio Colon v. S.A.D. Realty Corp., filed in the Supreme Court of the State of New York, County of Kings under Index Number 29740/09 (the "Underlying Action"); and

(2) Whereas defendant State National has filed counterclaims asserting that it has no duty to provide coverage to plaintiff Colon, or State National's insured, S.A.D., with respect to plaintiff's claims and \$133,144.50 judgment awarded to plaintiff in the Underlying Action; and

(3) Whereas the parties have reached an agreement to settle this declaratory judgment action for the sum of \$55,000, to be paid by defendant State National without interest, costs or attorneys' fees; it is hereby

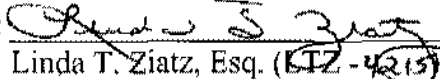
STIPULATED AND ORDERED that:

(a) this action, and all claims and counterclaims, are hereby discontinued with prejudice and without any costs or attorneys' fees to any party in this action, and with all parties releasing all claims against all other parties asserted herein and/or relating to the Underlying Action; and

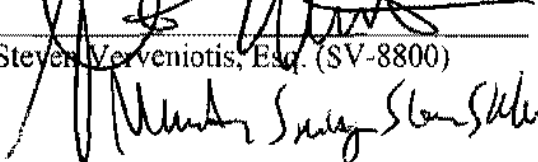
(b) facsimile signatures will be deemed originals for the purpose of this stipulation.

Dated: Mineola, New York
November 1, 2011

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File No. M-153

By: 
Steven Verveniotes, Esq. (SV-8800)

SO ORDERED: 11/8/2011
s/CBA


HON. CAROLYN BAGLEY AMON
Chief U.S. District Judge